IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1883 (S/S) of 2005

Jagdish Singh Bhandari,
Son of Sri Netra Singh Bhandari,
Resident of Village – Khuir,
P.O. – Peepli Pani,
District – Udham Singh Nager ……Petitioner.

V e r s u s.

1. State of Uttaranchal, through Secretary, Secondary Education, Dehradun.
2. Director, Secondary Education, State of Uttaranchal, Dehradun.
3. Regional, Joint Director of Education.
4. District Education Officer, Pauri Garhwal (Uttaranchal).
5. Inter College, Dangidhar, Pauri Garhwal, through its Administrator.
6. Principal, Inter College, Dangidhar, (Pauri Garhwal)

……Respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Chetan Joshi, learned counsel for the petitioner and learned standing counsel for respondents.

Learned counsel for the petitioner has submitted that petitioner was engaged as LT Grade Teacher in Inter College, Dangidhar, District – Pauri Garhwal under Parent Teacher Association Scheme on 01.08.2001.

Petitioner has challenged the order dated 28.10.2005 passed by District Education Officer, Paruri Garhwal addressed to Manager, Inter College, Dangidhar, District – Pauri Garhwal by which he has permitted the Manager, Inter College, Dangidhar, District – Pauri Garhwal to make advertisement for the posts which are vacant in the college.

The submission of the petitioner is that since he was engaged by Parent Teacher Association Scheme in the

Department so the respondents cannot advertise the post, as he is holding lien on the post.

I do not find any force in the submission of the learned counsel for the petitioner. The petitioner was engaged as LT Grade Teacher by the Parent Teacher Association on a consolidated salary and the college is fully empowered to advertise the post for filling up the vacancies on regular basis. If the petitioner is qualified he can apply for the post and the Selection Committee can consider the experience of the petitioner while selecting the candidates for the post of LT Grade Teacher.

Petitioner is also not being paid honourarium as prescribed under Government Order dated 20.09.2003. Accordingly, respondents are directed to make payment of honourarium as per Government Order for the period for which the petitioner has actually worked with the Institution.

With this direction the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

December 17, 2005
SKSharma